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IT IS SO ORDERED.

Dated: November 3, 2016




C. Kathryn Preston
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re:

Barry E. Disbennett
Kimberly L. Disbennett

Case # 16-55518
Chapter 13
Judge Preston

**AGREED ORDER RESOLVING DEBTORS' AMENDED MOTION TO AVOID
JUDICIAL LIENS ON REAL PROPERTY LOCATED AT 207 S. ASH STREET,
MARYSVILLE, OHIO PURSUANT TO 11 U.S.C. § 522(f)(1)(A)
(Doc #39) AND RESPONSE OF CREDITOR STATE OF OHIO
DEPARTMENT OF TAXATION (Doc #21)**

This matter comes on before the court upon the Debtors' Amended Motion to Avoid Judicial Liens on Real Property (Doc #39) located at 207 S. Ash Street, Marysville, OH 43040 and the State of Ohio Department of Taxation's Response (Doc #21). Prior to the matter proceeding to hearing, the parties resolved all issues in dispute. The Court finding the resolution fair and equitable hereby **ORDERS** same.

IT IS THEREFORE ORDERED that:

1. the liens held by the State of Ohio Department of Taxation shall be avoided and released pursuant to the provisions of *11 USC § 506(a)* and *506(d)* of the United States Bankruptcy Code as further provided in this Order;

2. the following liens:

<u>Amount of lien</u>	<u>Date filed</u>	<u>Lien Cite</u>
i. \$10,879.59	10.16.2009	2009CJ0841
ii. \$3,539.98	2.24.2010	2010CJ0149
iii. \$8,273.08	12.31.2012	2012CJ1120
iv. \$5,462.19	12.31.2012	2012CJ1121
v. \$835.74	12.31.2012	2012CJ1122

recorded at the Union County Ohio Clerk of Courts Office, shall be released as of record upon successful completion of Debtor's Chapter 13 plan of reorganization and upon issuance of a Discharge in this Chapter 13 proceeding, unless otherwise Ordered by the Court to be released sooner;

3. unless otherwise Ordered by the Court, upon successful completion of Debtors' Chapter 13 plan of reorganization and issuance of a Discharge in this Chapter 13 proceeding, the creditor shall cause the above referenced liens to be released and forever discharged as of record;

4. in the event the creditor fails to timely release the above referenced liens, then Debtors shall be granted leave to file a recorded copy of this Order with the appropriate Clerk of Courts office evidencing that the above referenced liens may be released;

5. the State of Ohio Department of Taxation lien filed 2.11.2008 at 2008CJ0087 in the original amount of \$8,432.00, which has a current payoff of approximately \$8,644.81 is third in time behind the liens of the United States of America recorded on 9.24.2007 at OR 754 pg 589 and OR 754 pg 590 in the Union County, Ohio Clerk of Courts Official Records. This lien shall remain a lien against the real estate located at 207 South Ash Street, Marysville, OH until successful completion of Debtor's Chapter 13 plan of reorganization

and issuance of a Discharge in this Chapter 13 proceeding, unless otherwise sooner Ordered released by the Court.

IT IS SO ORDERED.

APPROVED:

/s/ Amy E. Gullifer

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/s/ Erin M. Dooley by email authorization 11/1/2016

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/s/ Pamela D. Arndt by email authorization 11/1/2016

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